

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated May 1, 2007. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-18 are currently pending in the Application. Claim 1 is an independent claim. Claims 13-18 are added by this amendment.

By means of the present amendment, claims 1-12 are amended for better conformance to U.S. practice, such as changing "characterized in that" to --wherein--, and beginning dependent claims with "The". By these amendments, claims 1-12 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

In the Office Action, claims 1-12 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,030,813 to Kohashi ("Kohashi"). It is respectfully submitted that the claims are allowable over Kohashi for at least the following reasons.

Kohashi shows a light modulating device 100 having a flat plate 110 arranged in a horizontal plane (e.g., see, FIG. 1 and accompanying description contained in Col 3, lines 59-60) which supports alternating polarity electrodes 120, 130 (e.g., see, Col. 3, line 68 through Col. 4, line 8) and a liquid 160 (see, Col. 4, lines 19-22). When no voltage is applied across the electrodes, the liquid 160 is kept horizontal by surface tension and gravity due to the horizontal flat plate 110 (e.g., see, FIG. 2A and col. 4, lines 44-47). When a voltage is applied across the electrodes, heaps 161 are created above negative electrodes (e.g., see, FIG. 2B and Col. 4, lines 51-68) which affect a transmission of light through the liquid 160. The Office Action has taken a position that air above the fluid 160 comprises a second fluid (see, Office Action, page 2, line 11).

It is respectfully submitted that the module of Claim 1 is not anticipated by Kohashi. For example, Kohashi does not disclose or suggest, a module that amongst other patentable elements, comprises (illustrative emphasis added) "at least a first body of a first fluid and a second body of a second fluid, the two bodies being separated by an interface, and means for exerting a force on at least one of the bodies to change the position and/or shape of the

interface, wherein at least one of the fluids comprises a compound having at least one aromatic, non-fused, residue and wherein each of the fluids are liquids" as required by Claim 1. Kohashi teaches one of the bodies is air and therefore is not a liquid as pointed out in the Office Action.

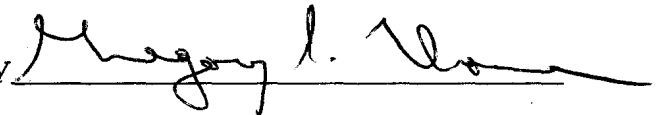
Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Kohashi and notice to this effect is earnestly solicited. Claims 2-18 depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Kohashi has been examined in detail and it is believed that elements of the dependent claims are also separately allowable. Accordingly, separate consideration of each of the dependent claims is respectfully requested. Should a rejection of the claims be maintained in a subsequent Office Action, it is requested that the portions of Kohashi allegedly showing the elements of the claims be pointed out with specificity for each of the rejected claims so that Applicants may examine and address these specific portions.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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